

AMENDMENT

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

- A1
1. (Amended) A method for increasing a data transmission rate at a terminal having a network protocol, comprising:
- establishing a window size, the window size being an indicator of an amount of data the terminal can receive;
 - receiving a plurality of data segments in accordance with the window size;
 - measuring an error condition of the plurality of data segments over a specified time period; and
 - changing the window size of the terminal based on the error condition to improve the data transmission rate between the a transmitter and the terminal.
2. (Original) The method of claim 1, wherein changing the window size of the terminal is further based on a number of the data segments received.
3. (Original) The method of claim 1, wherein the error condition is a number of errored octets of the plurality of data segments.
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4. (Original) The method of claim 1, wherein the network protocol is a transmission control protocol (TCP).
- terminal has a
^
which

5. (Original) The method of claim 1, further comprising informing the transmitter of transmitted data segments of a second window size.

6. (Original) The method of claim 5, further comprising receiving a second plurality of data segments in accordance with the second window size.

7. (Cancelled)

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8. (Amended) A method for increasing a data transmission rate at a ^{receiver} ~~terminal~~, comprising:

establishing a first window size, the first window size being an indicator of an amount of data the receiver can receive;

transmitting first transmitted data to the receiver in accordance with the first window size;

receiving information from the receiver to transmit data in accordance with a second window size of the receiver; and

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transmitting second transmitted data to the receiver in accordance with the second window size to improve the data transmission rate ^{between} a transmitter and the receiver ~~terminal~~. The method of claim 7, wherein the second window size is based on an error condition of the first transmitted data received by the receiver.

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9. (Amended) The method of claim 8/7, wherein the second window size is based on a number of data segments of the first transmitted data received by the receiver.

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~~10~~. (Amended) The method of claim ~~8~~ 7, wherein ~~the~~ first and second network protocols associated with ~~the terminal~~ ^{a receiver} are a transmission control protocol (TCP).

A1 12
~~11~~. (Amended) An apparatus that adapts a protocol to increase a data transmission rate, comprising:
 a receiver that receives data segments in accordance with the protocol, the protocol having a receiver window size, a the receiver window size being an indicator of an amount of data the receiver can receive;

a timing device that measures a specified time period;

an error detector that measures an error condition of the received data over the specified time period; and

B a controller that adapts the protocol, ^{by changing} ~~including~~ the receiver window size of the ~~receiver~~, based on the error condition of data segments received to increase the data transmission rate.

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~~12~~. (Amended) The apparatus of claim ~~11~~ 9, further comprising a segment counting device that counts a number of data segments received by the receiver over the specified time period, and wherein the controller adapts the protocol further based on a number of data segments received.

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~~13~~. (Amended) The apparatus of claim ~~12~~ 9, wherein the protocol is a transmission control protocol (TCP).

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~~14~~. (Amended) An apparatus that adapts a protocol to increase a data transmission rate, comprising:

A1 a transmitter that transmits data segments of a size in accordance with the protocol, the protocol having a window size, a window size being an indicator of an amount of data a receiver can receive;

a receiving device that receives information about the protocol including a second window size of the receiver, the second window size being based on an error condition of transmitted data segments;

a controller that changes the size of the data segments transmitted by the transmitter in accordance with the second window size to increase a data transmission rate.

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~~13~~ (Original) The apparatus of claim ¹³14, wherein the controller adapts the protocol based further on a number of data segments received by the receiver.

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~~16~~ (Original) The apparatus of claim ¹³14, wherein the protocol is a transmission control protocol (TCP).
